

EXHIBIT “A”

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADAM SHAW, PETER GOLIGHTLY, JUSTIN)
TURNER, and JOSHUA STANSFIELD, as)
individuals and on behalf of others)
similarly situated and the general)
public,)
)
Plaintiffs,)
)
VS.)
)
) Case No.
) 4:16-cv-01924
WIZARDS OF THE COAST, LLC,) EJD
)
Defendant.)
-----)

DEPOSITION OF: ADAM SHAW

IRVINE, CALIFORNIA

APRIL 10, 2017

Reported by:
Cheryl A. Miller, CSR
License Number 6711

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NORTHERN DISTRICT OF CALIFORNIA

ADAM SHAW, PETER GOLIGHTLY, JUSTIN)
TURNER, and JOSHUA STANSFIELD, as)
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Case No.)
4:16-cv-01924)
WIZARDS OF THE COAST, LLC,)EJD
Defendant.)
-----)

Deposition of ADAM SHAW, taken on behalf of Defendant,
at the law offices of Fisher & Phillips, LLP, 2050 Main
Street, Suite 1000, Irvine, California, beginning at
10:02 a.m. and ending at 6:40 p.m., on Monday, April 10,
2017, before Cheryl A. Miller, Certified Court Reporter,
No. 6711.

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I N D E X

WITNESS

EXAMINATION

ADAM SHAW

Examination by:

Page

MR. LINDEGREN -----

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EXHIBITS

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1	A	I --	10:25:59
2		I don't have that kn -- information.	10:26:00
3		I don't know.	10:26:02
4	Q	Did you pay him?	10:26:08
5	A	I did not.	10:26:09
6	Q	Were you employing him as part of your	10:26:11
7		joint venture?	10:26:14
8	A	No.	10:26:15
9	Q	And I'm sorry.	10:26:21
10		Was Jeff the scorekeeper for 2016 or was	10:26:24
11		it 2015?	10:26:28
12	A	Both.	10:26:30
13	Q	And what about 2014?	10:26:31
14	A	I don't recall about 2014.	10:26:33
15		I'm --	10:26:37
16		I'm not sure.	10:26:38
17	Q	And was he compensated in any way in 2014,	10:26:39
18		'15, or '16?	10:26:42
19	A	I don't know.	10:26:44
20	Q	Were you?	10:26:45
21	A	No, not for Eternal Weekend.	10:26:45
22		2016 I was reimbursed for my flight.	10:26:48
23	Q	By whom?	10:26:51
24	A	By Nick Coss.	10:26:52
25	Q	Him or his company?	10:26:54

[1] A By Nick Coss personally. 10:26:55

2 Q And do you have e-mails or other 10:27:00

3 communications about Eternal -- I don't want to get 10:27:02

4 it wrong. Eternal Night? 10:27:06

5 A Eternal Weekend. 10:27:09

6 Q Eternal Weekend? 10:27:10

7 A Yeah. 10:27:11

8 I may have scheduling e-mails or when I 10:27:14

9 was going to land, like my -- my -- my flight 10:27:26

10 information, and then possibly about the -- about 10:27:31

11 integration, how things are -- status -- status 10:27:36

12 updates about the pr -- the -- the software, the 10:27:40

13 PREREG.ME software. 10:27:42

14 Q And did you look for those? 10:27:43

15 A I -- 10:27:45

16 I did not, no. 10:27:46

[17] Q In 2016 when you were assisting in 10:27:59

18 score-keeping at Eternal Weekend for Mr. Coss who 10:28:03

19 were the judges? 10:28:11

20 A At June 2016? 10:28:15

21 The judges that I can recall, 10:28:17

22 Eric Dustin Brown, Abe Corson, Brogan -- 10:28:19

23 Ooh. 10:28:33

24 Brogan. 10:28:34

[25] I forgot her last name. It's not coming 10:28:35

1 to me. I might be able to recall that in a second. 10:28:37
2 Joe Hughto. 10:28:40
3 That's all I can recall at this time. 10:28:51
4 Q And were any of the four of them paid by 10:28:56
5 Mr. Coss? 10:28:59
6 A I assume -- 10:29:01
7 I -- 10:29:03
8 I assume that they were. There was -- 10:29:03
9 There was -- 10:29:04
10 As judges the compensation package is 10:29:05
11 published for the -- for that event on the -- on 10:29:08
12 Judge Apps. 10:29:15
13 Q Do you know if they were paid? 10:29:17
14 A I don't have knowledge if they were paid 10:29:19
15 or not. 10:29:20
16 Q Is there a Web address for Judge Apps? 10:29:23
17 A There is. It's Apps.MagicJudges.com, I 10:29:25
18 believe. 10:29:31
19 Q And is that the app that took over for 10:29:40
20 your DCI Family? 10:29:45
21 A That's correct, yes. 10:29:46
22 Q And who runs MagicJudges.com? 10:29:52
23 A It's a collaboration between a few judges. 10:29:57
24 I know some of the parties. 10:30:01
25 It's ran primarily by -- 10:30:06

1 The domain is James Bennett, and then 10:30:09
2 there are the developers for it. Dan Collins, 10:30:16
3 Paul Baranay are the two developers. I know there 10:30:22
4 are more, but I -- I don't -- I can't speak to who 10:30:25
5 they are. 10:30:28
6 Q Okay. 10:30:31
7 But with respect to whether any of the 10:30:32
8 four judges actually received compensation, you 10:30:35
9 don't have personal knowledge? 10:30:37
10 A I don't have personal knowledge, no. 10:30:38
11 Q You would just make an assumption? 10:30:40
12 A Based on the published compensation, yes. 10:30:43
13 Q What was the published compensation for -- 10:30:45
14 A I don't -- 10:30:49
15 Q -- 2016? 10:30:49
16 A I don't know. 10:30:51
17 Q Did Coss pay them in 2015? 10:30:51
18 A Again, it's -- it's the same as 2016. 10:30:55
19 There -- 10:30:57
20 It was published on Judge Apps. 10:30:58
21 Q Did he pay them in 2014? 10:31:00
22 A My answer's the same. It was published on 10:31:02
23 Judge Apps and the compensation was there. I have 10:31:04
24 no personal knowledge of whether or not people were 10:31:09
25 paid or how they were -- they're paid. 10:31:09

1 Q Have you had any conversations with Coss 10:31:10
2 about paying judges? 10:31:12

3 A I have. 10:31:15

4 It was an area of concern because I helped 10:31:17
5 him with GP Baltimore, which was the first event 10:31:22
6 where judges were not -- were -- were -- there was 10:31:27
7 to be no foils coming from Wizards of the Coast. 10:31:32

8 So compensation was -- was discussed, yes, 10:31:37
9 for that event. 10:31:40

10 Q Other than for the GP in Baltimore, did 10:31:42
11 you discuss compensation for judges at any time with 10:31:44
12 Mr. Coss? 10:31:47

13 A I don't believe so. 10:31:49

14 Q Does he pay judges hourly? 10:31:51

15 A Judges are not paid hourly, no. He 10:31:53
16 does -- 10:31:56

17 It's usually for the -- 10:31:56

18 It's usually per day. 10:31:58

19 Q Does Mr. Coss pay the judges per day? 10:32:04

20 A The compensation is listed out per day. 10:32:08

21 That's how it's -- 10:32:10

22 That's how it's listed. I'm -- 10:32:11

23 I am -- 10:32:13

24 I have no knowledge of whether or not -- 10:32:13

25 how he pays the judges. 10:32:15

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1 A To run Magic tournaments in general, no, 10:40:38
2 you don't. In order to run sanctioned tournaments, 10:40:41
3 yes, you do. 10:40:43

4 Q And, to your understanding, what's the 10:40:46
5 difference between sanctioned and unsanctioned 10:40:48
6 tournaments? 10:40:51

7 A Unsanctioned tournaments don't have any 10:40:52
8 record. They're -- 10:40:55

9 They still use the software provided by 10:40:56
10 Wizards of the Coast, but they don't have any record 10:40:59
11 in -- in Wizards' systems. 10:41:00

12 Sanctioned tournaments have support -- 10:41:02
13 prior support from Wizards of the Coast, which 10:41:07
14 includes foil cards. They have to run by rules that 10:41:09
15 are developed by Wizards of the Coast. 10:41:14

16 They forward the interests of -- of 10:41:19
17 Wizards and it's part of their marketing and -- 10:41:22

18 But it's -- 10:41:27

19 It's -- 10:41:28

20 If it's -- 10:41:29

21 They -- 10:41:29

22 There's rules that they -- that have to be 10:41:29
23 followed and TOs have to register and follow -- 10:41:32
24 agree to certain guidelines set forth by the Wizards 10:41:35
25 play network. 10:41:39

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1 product, Magic Gathering cards and foil Magic 10:57:32

2 Gathering cards. 10:57:37

3 Q When was the last time you worked for 10:57:38

4 Mr. Shields at Cascade? 10:57:40

5 A I can't recall. 10:57:51

6 I don't know. 10:57:52

7 Q How many years ago? 10:57:53

8 A I'm sure it's over -- 10:57:58

9 I would say over five years. Over -- 10:58:01

10 Yeah, five -- 10:58:03

11 Five to seven years ago. 10:58:04

12 Q Who owns Cascade? 10:58:06

13 A Tim Shields. 10:58:07

14 Q And how do you know that? 10:58:09

15 A He -- 10:58:14

16 I know -- 10:58:14

17 Oh. 10:58:15

18 I know that he's hired people for -- to 10:58:16

19 work at Cascade and he is the TO that is on record 10:58:18

20 for Cascade. 10:58:22

21 Q The people that you know that he hired to 10:58:26

22 work at Cascade, what -- what did he hire them to 10:58:28

23 do? 10:58:30

24 A Run events, schedule events. 10:58:32

25 Q Who are they? 10:58:37

1 A The two I know are John Carter and 10:58:39
2 Trevor Baker, I believe. 10:58:44
3 Q And how are they paid for that? 10:58:47
4 A I don't know. 10:58:49
5 Q What were the terms of their hire? 10:58:50
6 A I don't know. 10:58:52
7 Q And when was that for Mr. Carter? 10:58:56
8 A It would have been the -- 10:58:59
9 Carter is still employed, I believe, with 10:59:01
10 them. 10:59:03
11 Q What's his title? 10:59:04
12 A I don't know. 10:59:05
13 Q Okay. 10:59:06
14 But he actually works directly for 10:59:07
15 Cascade? 10:59:08
16 A I believe so, yes. 10:59:09
17 Q And where is Cascade located? 10:59:11
18 A Portland, Oregon. 10:59:14
19 Q I'm sorry. You told me that. 10:59:15
20 I apologize. 10:59:16
21 A Yeah. 10:59:17
22 Q What about Trevor? 10:59:18
23 A I believe he's working for Channel 10:59:21
24 Fireball now. I don't know anything more than that 10:59:23
25 with him. 10:59:26

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1 Q Okay. 11:43:59

2 On -- 11:44:00

3 On one of the schedules you produced, it's 11:44:01

4 a schedule and then by certain people's names it's 11:44:03

5 blacked out. 11:44:06

6 A I -- 11:44:06

7 I don't know. 11:44:07

8 Q All right. 11:44:07

9 Well, we'll go over that. 11:44:07

10 A Okay. 11:44:09

11 Q So beyond Judge Apps and Judge Center and 11:44:12

12 maybe the e-mails -- well, the schedules you 11:44:15

13 produced, you don't have any other records about any 11:44:18

14 events that you judged, correct? 11:44:20

15 A That's my knowledge that, I don't, no, 11:44:22

16 yes. 11:44:24

17 Q Well, and you searched, right? 11:44:25

18 A I searched, yes. 11:44:27

19 Q Okay. 11:44:28

20 When's the last time you judged an event? 11:44:40

21 A I believe that would be Grand -- 11:44:53

22 Grand Prix Worcester in either 2015 or 2016. 11:44:55

23 Q Okay. 11:45:05

24 Who's Carl Dignam? 11:45:05

25 A Carl Dignam is a -- a friend of mine. 11:45:07

1 He's also the owner of The Grid Games in Manchester, 11:45:10
2 Connecticut, and he's a TO. 11:45:14

3 Q What's Grid Games? 11:45:17

4 A It's a game store. 11:45:18

5 Q Okay. 11:45:21

6 And when's the last time you judged 11:45:22
7 anything for him? 11:45:24

8 A I judged a GPT for him a few years ago, 11:45:26
9 but that was the last time I did that. It was -- 11:45:30

10 I don't recollect how long it was. It was 11:45:33
11 a very small event. 11:45:35

12 Q What do you mean by small? 11:45:36

13 A 10 players. 11:45:38

14 Q What did he pay you, if anything? 11:45:40

15 A Huh? 11:45:42

16 Q Did he pay you? 11:45:44

17 A No. 11:45:47

18 Q Did you ask him to pay you? 11:45:47

19 A I did not. 11:45:49

20 Q Do you believe he should have paid you? 11:45:51

21 A Nope. 11:45:54

22 Q Why not? 11:45:54

23 A I was receiving compensation out -- 11:45:58
24 outside of the -- of the event. I didn't feel like 11:45:59
25 he needed to pay me. 11:46:04

1 A No. 11:47:09

2 Q How many events overall in total have you 11:47:21

3 judged for Mr. Dignam? 11:47:24

4 A I wouldn't be able to give you a -- an 11:47:33

5 accurate number. I've known him for -- 11:47:36

6 I've known him and been in the store for 11:47:39

7 the last 20 years. 11:47:41

8 Q Is that where you started playing? 11:47:45

9 A It was, yeah. 11:47:46

10 Q And does he do Friday Night Magic? 11:47:52

11 A Yes, he does. 11:47:57

12 Q And who judges Friday Night Magic at his 11:47:57

13 store? 11:48:00

14 A Usually it is a -- one of -- 11:48:08

15 Some -- 11:48:14

16 It's either him or there -- there is no 11:48:19

17 judge except for the TO, which is allowed for that 11:48:25

18 kind of event. 11:48:32

19 Q So either he does it himself as the owner 11:48:32

20 of the store -- 11:48:34

21 A Yeah. 11:48:35

22 Q Yes? 11:48:36

23 A Yes. 11:48:36

24 Q -- or they just don't have a judge? 11:48:37

25 A Correct. 11:48:39

1 Q And you can have Friday Night Magic 11:48:39
2 without a judge? 11:48:41
3 A Without a certified judge, yes. 11:48:42
4 Q So a player could act as the judge? 11:48:46
5 A They could. 11:48:48
6 Q Okay. 11:48:50
7 And do you still play at Mr. Dignam's 11:48:51
8 store? 11:48:55
9 A I do. 11:48:55
10 Q How often? 11:48:56
11 A I would say two to three times a month or 11:49:02
12 more. 11:49:04
13 Q And then in April of 2016 you actually 11:49:08
14 were the -- the judge? 11:49:10
15 A I don't -- 11:49:13
16 I don't know what event that is, so I 11:49:14
17 can't speak to it. 11:49:16
18 Q Okay. 11:49:19
19 And when you play at Mr. Dignam's store -- 11:49:20
20 What was it called again? 11:49:24
21 A The Grid Games. 11:49:25
22 Q The Grid Games. 11:49:26
23 Do you get paid to play? 11:49:30
24 A You can -- 11:49:32
25 You can win prizes. Friday Night Magic 11:49:33

1 going on.

11:51:28

2 Q Okay.

11:51:32

3 And did you tell him that you expect him
4 to pay you personally as a judge --

11:51:32

11:51:34

5 A No.

11:51:37

6 Q -- at his store?

11:51:37

7 A I did not, no, discuss that with him.

11:51:38

8 Q Okay.

11:51:41

9 Do you believe that he has to pay you if
10 you judge at his store?

11:51:41

11:51:45

11 A No.

11:51:46

12 Q If he had someone else judge Friday Night
13 Magic do you believe he has to pay them?

11:51:56

11:51:58

14 A I don't think I can answer that in a way
15 that's --

11:52:01

11:52:02

16 That would be between him and -- and that
17 person.

11:52:07

11:52:09

18 Q And, to your knowledge, he either operates
19 without a judge or does it himself?

11:52:20

11:52:22

20 A If he can.

11:52:24

21 Wizards requires certain level of judges
22 for certain events, so if --

11:52:27

11:52:30

23 It limits the events that he can run, so
24 one of the reasons why I judged for him was in order
25 to allow him to run a GPT, which required a level 1.

11:52:33

11:52:36

11:52:41

1 same time. They had a joint venture with each other 12:02:16

2 to do it. 12:02:19

3 Q And how is it that you came to be a judge 12:02:29

4 at the Phoenix GP? 12:02:31

5 A I applied to it and was accepted using 12:02:38

6 Judge Apps. 12:02:42

7 Q So you asked if you could judge and they 12:02:48

8 said okay? 12:02:50

9 A Correct. 12:02:51

10 Q And who said okay? 12:02:52

11 A I don't know. 12:02:54

12 Q Channel and Cascade? 12:02:55

13 A I don't know. 12:02:56

14 It was -- 12:02:58

15 Q Who organized the tournament? 12:02:59

16 A It was -- 12:03:01

17 There's many people involved. Staff 12:03:02

18 selection -- 12:03:06

19 I don't know who did staff selection for 12:03:07

20 that specific event. 12:03:09

21 Q The organizer for that event, according to 12:03:11

22 you, that was Channel and Cascade, right? 12:03:12

23 A They were the PTO involved in that, 12:03:15

24 correct. 12:03:19

25 Q Which is the tournament organizers, right? 12:03:20

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1 A Right, but I don't necessarily know if 12:03:22

2 they were involved in staffing decisions. 12:03:23

3 Q Was there a head judge? 12:03:29

4 A There was. 12:03:31

5 Q Who was that? 12:03:31

6 A I don't know. 12:03:32

7 Q In 2017 have you asked for reimbursement 12:03:52

8 for any expenses with respect to judging? 12:03:56

9 A I have not. 12:03:58

10 Q 2016? 12:03:59

11 A I have not. 12:04:02

12 Q 2015? 12:04:03

13 A No, I have not. 12:04:06

14 Q Did Channel and Cascade give you any 12:04:27

15 compensation for judging at Phoenix? 12:04:31

16 A To the best of my knowledge, I received 12:04:36

17 foils and product from another judge. I'm -- 12:04:42

18 I don't know -- 12:04:54

19 I don't know how Channel or Cascade were 12:04:54

20 involved in that. 12:04:56

21 Q And who was that judge? 12:04:57

22 A David Zimet, I believe. 12:05:00

23 Q Ah. 12:05:02

24 Famous Mr. Zimet. 12:05:03

25 Is he a friend of yours? 12:05:08

1 A It would have been David Zimet. 12:12:33

2 Q And I'm sorry. 12:12:38

3 And was there a head judge? 12:12:39

4 A Yes. 12:12:41

5 Q Who was that? 12:12:42

6 A Sean Catanese. 12:12:43

7 There might have been multiples. 12:12:45

8 Q Okay. 12:12:48

9 And do you have a schedule from 12:12:48

10 Sacramento? 12:12:50

11 A No, I don't. 12:12:51

12 Q So the only one you have a schedule from 12:12:52

13 is Phoenix? 12:12:54

14 A Phoenix, Worcester, and -- 12:12:56

15 Phoenix and Worcester I would have 12:13:00

16 provided. 12:13:04

17 I did provide. 12:13:05

18 Q And you found those in your papers? 12:13:06

19 A Yes. 12:13:07

20 Q Okay. 12:13:09

21 And do you have any record of any expenses 12:13:09

22 related to Phoenix, Montreal, or Sacramento? 12:13:12

23 A I do not. 12:13:14

24 Q So you don't know what those were? 12:13:16

25 A No. 12:13:18

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1 so 2 -- anywhere from 2005 to 2011.

12:15:20

2 Q Okay.

12:15:28

3 But not --

12:15:29

4 Not since 2011?

12:15:29

5 A Right.

12:15:31

6 Q Since 2011 do you have any record of any
7 expenses related to judging?

12:15:34

12:15:36

8 A Not that I know of, no.

12:15:40

9 Q Okay.

12:15:43

10 And did the PTO in Sacramento compensate
11 you?

12:15:50

12:15:56

12 A No.

12:15:56

13 Q And how did you come to judge in
14 Sacramento?

12:15:59

12:16:02

15 A I --

12:16:04

16 I asked to judge a side event so I could
17 renew my judge level in order to continue judging
18 again and they put me as a judge as one of the side
19 events.

12:16:04

12:16:12

12:16:16

12:16:21

20 Q What event was that?

12:16:21

21 A It was a draft, a side event draft.

12:16:23

22 Q When you say they, who's they? Channel
23 Fireball?

12:16:26

12:16:29

24 A No, it would have been the side event

12:16:29

25 scorekeeper and the -- the RC, so it would have been

12:16:31

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1 judges during their -- their suspensions. 14:18:31

2 Q Are you a Southeast judge? 14:18:38

3 A I am not. 14:18:40

4 Q You -- 14:18:41

5 And when was that, that you stopped 14:18:44

6 judging? 14:18:46

7 A Would have been 2016 I stopped running -- 14:18:53

8 going to events as a judge. 14:18:58

9 Q You still go as a player? 14:19:01

10 A I do. 14:19:02

11 Q Okay. 14:19:04

12 In 2016 did you go to any events as a 14:19:04

13 judge other than the ones for your friend at Grid? 14:19:08

14 A I would -- 14:19:15

15 I would have to look at my schedule again. 14:19:15

16 I -- when the dates were. I may have. 14:19:18

17 I may have. 14:19:24

18 Q So you said you're still active because 14:19:38

19 you mentor people, right? 14:19:40

20 A I am. 14:19:43

21 I do, yes. 14:19:43

22 Q Who are you mentoring? 14:19:44

23 A I still talk quite a bit to many L3s, L2s 14:19:47

24 that -- at events like Eternal Weekend and -- 14:19:57

25 Q And is it your position somebody should be 14:20:06

1 paying you for this mentoring? 14:20:08

2 A It's my position that all activities that 14:20:12

3 are judge-related should be compensated and required 14:20:16

4 to be compensated in order us con -- for us to 14:20:19

5 continue to judge. 14:20:23

6 Q You're not judging, right? 14:20:24

7 A I'm not judging events. 14:20:25

8 Q Okay. 14:20:27

9 A I am still judging. 14:20:28

10 Q So who should pay you for this mentoring 14:20:29

11 that you're doing? 14:20:31

12 A Wizards of the Coast should be paying for 14:20:32

13 me -- 14:20:34

14 Q Really? 14:20:34

15 A -- for doing this mentoring, yes. 14:20:35

16 Q Why? 14:20:36

17 A Because it improves their -- 14:20:37

18 It improves their -- their marketing 14:20:39

19 agenda. It's -- 14:20:40

20 It improves the number of cards that they 14:20:41

21 sell and their bottom line, Hasbro's market cap. 14:20:44

22 Q Has anyone at Wizards of the Coast asked 14:20:48

23 you to continue mentoring after you quit judging? 14:20:50

24 A There was no specific communication from 14:20:54

25 anyone at Wizards of the Coast to continue that, no. 14:20:55

1 Q So the answer's no one asked you to do it, 14:21:00
2 right? 14:21:02

3 A No. 14:21:03

4 Q And have you reported any hours of 14:21:05
5 mentoring to anyone at Wizards of the Coast? 14:21:07

6 A I have not, no. 14:21:09

7 Q Keep track of the hours? 14:21:10

8 A I have not, no. 14:21:13

9 Q And do you think you should be paid to 14:21:20
10 communicate with judges? 14:21:22

11 A I think that I and people that are giving 14:21:27
12 substantial benefit to Wizards in the judging -- in 14:21:33
13 the judge program should be paid for doing that, 14:21:38
14 yes. 14:21:41

15 Q That's not my -- my question, though. 14:21:41
16 Maybe I didn't ask it right. 14:21:43

17 A Please. 14:21:44

18 Q I understood you said you're staying 14:21:45
19 active by hanging out in the chat rooms and chatting 14:21:47
20 it up with the judges? 14:21:50

21 A Correct. 14:21:51

22 Q And in -- 14:21:51

23 Your view is you should be paid for that? 14:21:52

24 A I should be paid for that, yes. 14:21:54

25 Q Okay. 14:21:56

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1 decision was made, do you? 14:25:40

2 A I don't have knowledge of that, no. 14:25:49

3 Q In 2016 what value did you do for Wizards 14:25:53

4 of the Coast? 14:26:05

5 A Very similar to value that -- in 2017. 14:26:07

6 I -- 14:26:11

7 Also, in addition to that I was working to 14:26:13

8 try to get the PREREG.ME software to improve events, 14:26:18

9 event registration, et cetera. 14:26:25

10 Q So you're now saying that Wizards of the 14:26:31

11 Coast should pay you for doing REG.ME? 14:26:33

12 A I'm -- 14:26:39

13 I'm not saying that, no. 14:26:39

14 Q Okay. 14:26:41

15 A You asked what value that I gave to 14:26:41

16 Wizards of the Coast, not that was specifically tied 14:26:44

17 to judging. 14:26:47

18 Q Is there some dollar figure that you 14:26:52

19 attach to your talking to other people in 2017? 14:26:53

20 A I don't have a specific dollar figure for 14:26:57

21 that, no. I'd have to evaluate what my -- 14:26:59

22 Q How about in 2016? 14:27:03

23 A I don't have a value figure -- figure for 14:27:04

24 that. 14:27:07

25 Q 2017, how many hours have you spent 14:27:07

1 talking to people? 14:27:10

2 A Countless. 14:27:10

3 I don't have any records. I couldn't tell 14:27:11

4 you. 14:27:12

5 Q How about 2016? 14:27:15

6 A I don't -- 14:27:17

7 I couldn't tell you. 14:27:18

8 Q How about 2014? 14:27:19

9 A At every event -- 14:27:22

10 Sorry. 14:27:23

11 2014? 14:27:24

12 Well, at -- 14:27:26

13 We have the record of my schedule at the 14:27:27

14 events. 14:27:29

15 That entire time that we were working, you 14:27:29

16 know, the 10- to 12-hour days and the -- you know, 14:27:31

17 the -- the -- when we are -- have a chance to take a 14:27:36

18 lunch break, we're always mentoring and we're always 14:27:42

19 trying to advance the judge's knowledge and how to 14:27:46

20 interact. We talk about scenarios, et cetera, so it 14:27:50

21 would be in that schedule at least of what, plus 14:27:54

22 some. 14:27:58

23 Q How many -- 14:27:58

24 How many tournaments have you played in 14:27:59

25 or -- 14:28:01

1 That's what I was doing for -- for that one instance 14:39:15
2 for Carl, and also maintaining my judge record, 14:39:19
3 which Wizards required. 14:39:22

4 Q Yeah. 14:39:25

5 But you've judged more than once for Carl? 14:39:25

6 A Sometimes he needs -- he can't find a 14:39:29
7 judge and I was -- 14:39:31

8 Again, it's friendship. I was there to 14:39:31
9 help him out. 14:39:33

10 Q And -- 14:39:36

11 And how many other folks judging Friday 14:39:36
12 Night Magic were just doing it for a friend without 14:39:41
13 expectation of being paid? 14:39:44

14 A I couldn't speculate that. I don't have 14:39:46
15 that information. 14:39:48

16 Q When's the first time you stopped judging? 14:40:01
17 Was that 2014 or was that 2010? 14:40:06

18 A No, it was 20 -- 14:40:09

19 It would have been 2010 or 2011 when I -- 14:40:10

20 GP Providence was my last -- 14:40:13

21 Q Okay. 14:40:16

22 A -- event. 14:40:16

23 Q And -- 14:40:17

24 Hold on a second. 14:40:28

25 Do you list being a judge on your 14:40:37

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1 Q Yeah, you. 15:21:32

2 A Right now? 15:21:33

3 Q Yeah. 15:21:33

4 A No, I'm not. 15:21:34

5 Q Okay. 15:21:35

6 And you didn't do that in 2016, either, 15:21:36

7 did you? 15:21:38

8 A There was a possibility that I -- that I 15:21:42

9 may have judged. I don't recall if -- for my friend 15:21:44

10 Carl, as you brought up earlier. 15:21:48

11 Q Okay. 15:21:50

12 But other than that, no? 15:21:50

13 A No large events, no -- 15:21:51

14 Yeah. 15:21:52

15 Q Okay. 15:21:53

16 Let's mark as Exhibit 2 a six-page 15:22:10

17 document. 15:22:22

18 (Exhibit 2 was marked for identification 12:44:36

19 by the certified shorthand reporter and is attached 12:44:36

20 hereto.) 12:44:36

21 First page says Wizards of the Coast LLC, 15:22:24

22 Senior DCI-Certified Floor Judge Services Agreement. 15:22:28

23 Appears to be dated May 13th, 2011, and 15:22:34

24 the -- 15:22:37

25 It's between Wizards of the Coast LLC and 15:22:38

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1 Adam Shaw. 15:22:41

2 My question for you, Mr. Shaw, when you 15:22:43

3 have a minute to look at Exhibit 2, the first 15:22:45

4 question, so you have it in mind when you're looking 15:22:51

5 at it -- 15:22:54

6 A Uh-huh. 15:22:55

7 Q -- will be is the signature on page 3 15:22:55

8 yours? 15:22:58

9 I'm at page 3. I tried to front-load my 15:23:00

10 question. I guess it didn't work. 15:24:37

11 Is that your signature where it says 15:24:38

12 contract -- contractor on page 3, Mr. Shaw? 15:24:40

13 A It does appear to be my signature, yes. 15:24:42

14 Q Okay. 15:24:44

15 And the writing where it says title, L4 15:24:44

16 Judge, is that your writing? 15:24:46

17 A It does appear so, yes. 15:24:47

18 Q Now, do you recognize the signature to the 15:24:49

19 right of yours? 15:24:50

20 A I do not, no. 15:24:52

21 Q Okay. 15:24:54

22 And then if you look at the second to last 15:24:54

23 page, it's the Wizards of the Coast LLC 15:25:00

24 non-disclosure agreement. 15:25:02

25 A Uh-huh. 15:25:04

1 Q Is that your writing where it says 15:25:04

2 Adam Shaw? 15:25:06

3 A It appears to be, yes. 15:25:08

4 Q Okay. 15:25:09

5 And then the address, that's your writing, 15:25:09

6 as well? 15:25:11

7 A Yes. 15:25:12

8 Q And then where it says recipient your 15:25:12

9 signature and -- and handwritten name? 15:25:15

10 A Yes. 15:25:17

11 Q And is this the service contract you 15:25:17

12 signed with respect to working the Providence event? 15:25:19

13 A It appears so, yes. 15:25:23

14 Q Okay. 15:25:24

15 And so if we go by this document, does 15:25:25

16 that help you remember when the event was? 15:25:28

17 A It does, yes. 15:25:30

18 Q And in looking at the document when was 15:25:31

19 the event that you now remember? 15:25:33

20 A The event was May 28th, 2011. 15:25:36

21 Q Okay. 15:25:41

22 And I don't know if it reminds you or not. 15:25:43

23 It looks like, though, if you look at page 4 it says 15:25:45

24 payment, \$1,500 for Grand Piece se -- Grand Prix 15:25:48

25 senior judge service. 15:25:52

1 Do you see that? 15:25:53

2 A I do. 15:25:53

3 Q Independent of looking at that do you now 15:25:55

4 remember what you were paid? 15:25:59

5 A I was paid \$1,500. 15:26:00

6 Q Okay. 15:26:01

7 And do -- 15:26:03

8 Do you have a copy of this -- this 15:26:08

9 agreement? 15:26:10

10 A I do not, no. 15:26:10

11 Q Okay. 15:26:11

12 So you weren't able to find it? 15:26:11

13 A No. 15:26:13

14 Q And after this Grand Prix, the Providence 15:26:13

15 Grand Prix, did you enter any other contracts with 15:26:19

16 Wizards? 15:26:23

17 A I do not believe so, no. 15:26:27

18 Q And were you the -- 15:26:34

19 I might have misremembered. 15:26:35

20 Were you the head judge or a senior judge? 15:26:36

21 A I was the head judge. 15:26:39

22 Q Otherwise known as a senior judge? 15:26:40

23 A That was the terminology they used at the 15:26:43

24 time, yes. 15:26:44

25 Q Okay. 15:26:45

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1 casual player or the Friday Night Magic player, the 16:02:46
2 prerelease player, in order to grow that base 16:02:52
3 because there were many more of them and they spent 16:02:55
4 more money on cards. 16:02:58

5 So it was part of the judge program, the 16:03:00
6 RCs, especially, regional coordinators, and the L4s 16:03:03
7 to figure out -- to help with that strategy to gain 16:03:07
8 more judging -- gain more judges, gain more players, 16:03:12
9 thus -- because it was that bottom up focus. 16:03:17

10 They were no longer were trying to -- 16:03:21

11 They still had the aspirational model 16:03:23
12 where you could still go to pro tours, but the focus 16:03:25
13 really was on those store players. 16:03:28

14 Q Okay. 16:03:31

15 And -- 16:03:31

16 And do you know did some stores actually 16:03:32
17 pay the L1s that judge for them? 16:03:33

18 A I believe some them do. I've heard that 16:03:36
19 some -- some are employees of the store, as well. 16:03:38

20 Q Okay. 16:03:40

21 So some pay and some have their employees 16:03:41
22 do it? 16:03:44

23 A That's my understanding. 16:03:45

24 I don't know the specifics. 16:03:46

25 Q What's that based on? 16:03:46

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1 A I don't know. 16:03:48
2 It would be -- 16:03:49
3 I would have -- 16:03:49
4 I don't have a -- 16:03:49
5 Q You said you have an understanding. 16:03:50
6 What -- what's that based on? 16:03:50
7 A Oh. 16:03:52
8 What my understanding is based on, not 16:03:52
9 what the premise is based on? 16:03:54
10 Q Yes, sir. 16:03:55
11 Sorry. 16:03:56
12 A Got it. 16:03:57
13 Communicate -- 16:03:57
14 Talking with -- with judges that are 16:03:58
15 employees of stores or employees of -- of TOs in my 16:04:00
16 many events that I've done. Some of that happens, 16:04:04
17 does sometime. 16:04:06
18 Q And who -- 16:04:08
19 Who are they, the ones that are paid -- 16:04:09
20 A Oh, I -- 16:04:10
21 Q -- by their -- their employers? 16:04:10
22 A I couldn't give you specific names. I -- 16:04:14
23 It's just that -- conversations that I had 16:04:25
24 with those people -- 16:04:27
25 Q Okay. 16:04:28

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1 Q All right. 16:44:58

2 Some of the TOs are paying -- paying 16:44:59

3 money, right? 16:45:01

4 A That is correct, yes, my understanding. 16:45:02

5 Q Which ones? 16:45:04

6 A I don't know. 16:45:04

7 Q So it varies from TO to TO, right? 16:45:05

8 A It might, yeah. 16:45:09

9 Q And where did you do these calculations to 16:45:10

10 come up with your 25 to \$50 an hour? 16:45:11

11 A Just knowing what the -- the -- the rates 16:45:15

12 are, having judged for so long, knowing what TOs 16:45:18

13 pay. 16:45:22

14 Q What T -- 16:45:22

15 What TO is paying \$25 an hour? 16:45:23

16 A I believe all the PTOs are paying 16:45:29

17 somewhere around that for GP work currently. 16:45:32

18 Q Who's paying 50 bucks an hour? 16:45:39

19 A It depends on your level. Some -- and 16:45:42

20 your role in the tournament. 16:45:45

21 Q Uh-huh. 16:45:46

22 And this is in cash money? 16:45:46

23 A It could be currently, but before it was 16:45:49

24 in -- in boxes of products and foils. 16:45:51

25 Q So when you worked the tournaments you 16:45:54

CERTIFICATION OF COURT REPORTER

FEDERAL JURAT

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand, which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

That before completion of the deposition, a review of the transcript [] was [X] was not requested

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

In witness whereof, I have this date subscribed my name

Dated: 04/18/2017



Cheryl A. Miller, RPR, CP

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